



Atty. Dkt. No. 086531-0132

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Yasumasa Ooya et al.

Title: POSITIVE ELECTRODE ACTIVE MATERIAL AND NON-AQUEOUS SECONDARY BATTERY USING THE SAME

Appl. No.: 10/024,341

Filing Date: 12/21/2001

Examiner: S. Kalafut

Art Unit: 1745

RECEIVED  
JAN 06 2004  
TC 1700

**AMENDMENT AND REPLY UNDER 37 CFR 1.111**

Mail Stop NON-FEE AMENDMENT  
Commissioner for Patents  
PO Box 1450  
Alexandria, Virginia 22313-1450

Sir:

This communication is responsive to the Non-Final Office Action dated June 23, 2003, concerning the above-referenced patent application.

Applicant has enclosed with this amendment a Petition for Extension of Time to make this response timely.

**Amendments to the Specification** begin on page 2 of this document.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 3 of this document.

**Remarks/Arguments** begin on page 6 of this document.

Please amend the application as follows: